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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RE: Reissue Application Serial No. 10/600,114

Group Art Unit: 2162

Examiner: Shahid Al Alam

Title: PROCESS FOR MAINTAINING ONGOING REGISTRATION
FOR PAGES ON A GIVEN SEARCH ENGINE

**ATTN: DEPUTY ASSISTANT COMMISSIONER
FOR PATENT EXAMINATION POLICY**

Mail Stop DAC
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

August 7, 2008

**FIFTH REQUEST FOR SUPERVISORY AUTHORITY TO DETERMINE STATUS
OF REISSUE APPLICATION**

Dear Sir:

This is a request to invoke the supervisory authority of the Deputy Commissioner to determine the status of the above titled Reissue Application, and is filed by the Agent of Record in Reissue Application S.N. 10/600,114 of which U.S. Patent 6,253,198 is the parent.

Reissue Application S.N. 10/600,114, seeking to delete the word "unmodified" from base claim 1, was filed by the undersigned agent on June 20, 2003 and is currently pending.

The following are the most recent events in the prosecution.

<p style="text-align: center;">CERTIFICATE OF MAILING</p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on</p> <p>Date: <u>August 7, 2008</u></p> <p><u>Kenneth A Roddy</u> Kenneth A. Roddy</p>
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In response to a Non-Final Office Action dated June 30, 2005, the undersigned agent filed a Second Supplemental Amendment dated September 30, 2005 accompanied by a Certificate of Mailing, a new Statement Under 37 CFR 3.73(b) (PTO/SB/96), a Consent By Assignee (PTO/SB/53), and a Declaration by the Inventor (PTO/SB/51), to correct defects in the Reissue Application.

A first Request To Determine the Status was filed August 21, 2006 to determine the status of the Reissue Application.

Following the 8/21/2006 Request To Determine Status, the undersigned agent was informed in a telephone conversation with the Examiner in September, 2006 that the maintenance fee in the parent U.S. Patent 6,253,198 had not been paid, and that the patent had expired.

In a Non-Final final Office Action dated September 19, 2006, the Examiner stated in Paragraph 1, that the parent patent, US.6,253,198, had expired due to failure to pay the maintenance fee and that the Reissue could not be allowed and that all claims must be rejected as lacking basis for reissue. In Paragraph 2, of the Office Action, claims 1-14 were rejected as being based on a defective reissue declaration.

The undersigned agent promptly filed a Petition dated October 31, 2006 to accept delayed payment of the maintenance fee in the expired parent US 6,253,198 with the requisite fees. On the same day, the October 31, 2006, undersigned agent filed a Response to the 9/19/2006 Non-Final Office Action, informing the Examiner that a Petition to accept delayed payment of the maintenance fee in the expired parent US 6,253,198 had been filed to reinstate the parent patent, and that he would be informed regarding the Decision on the Petition.

On March 10, 2007, and on March 27, 2007, in telephone conversations with the Examiner, the undersigned agent informed him that a Decision on the Petition had still not been received, and that the public PAIR database for the parent US 6,253,198 was showing an entry dated 1/9/2007 that noted "FILE MARKED LOST". On both occasions, the Examiner informed the undersigned that he would check into the matter and would call to report his findings.

After several months had passed, and a Decision on the Petition was still not received, a second Request For Supervisory Authority To Determine Status dated May 15, 2007 was filed to determine the status of the Petition.

In response to the second Request, in a letter dated May 30, 2007 the Decision to accept the maintenance fee was granted and the parent Patent 6,253,198 was reinstated. The rules provide that if the maintenance fee is accepted after the six-month grace period, the patent shall be considered as not having expired at the end of the grace period. The bibliographic data of Patent 6,253,198 indicate that the Patent was reinstated 6/27/05.

A Supplemental Amendment dated June 4, 2007 to the non-final Office Action was filed informing the Examiner that the parent Patent had been reinstated and enclosed a copy of the response to the Status Request, the Decision, the Maintenance Fee Statement, and the Bibliographic Data in the parent patent.

A Third Request For Supervisory Authority To Determine Status dated January 8, 2008 was filed to determine the status of the June 4, 2007 Supplemental Amendment. At the time of filing the request to determine the status of the Supplemental Amendment, the public PAIR database for the parent Patent US 6,253,198 showed an entry dated 8/8/2007 that noted "FILE MARKED FOUND". A written response was requested so that a copy could be passed to the applicant. However, the undersigned agent did not receive any response to the Request.

A Fourth Request to the Director of the USPTO to invoke the supervisory authority of the Director to Determine Status dated April 11, 2008 was filed to determine the status of the June 4, 2007 Supplemental Amendment, and the previous Request to Determine the Status dated January 8, 2008. A written response was requested so that a copy could be passed to the applicant. However, the undersigned agent did not receive any response to the Request.

The undersigned agent has not received any responses as to the status of the Reissue Application since filing the Supplemental Amendment dated June 4, 2007, the Request to Determine the Status dated January 8, 2008, and the Request to Determine the Status dated April 11, 2008.

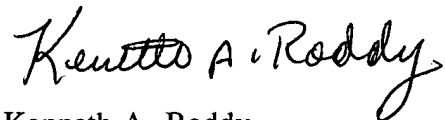
Request

It is respectfully requested that the Deputy Commissioner's staff check into this matter and kindly inform the undersigned in writing as to the status of Reissue Application SN 10/600,114, the June 4, 2007 Supplemental Amendment, the Request to Determine Status dated January 8, 2008, and the Request to Determine Status dated April 11, 2008, and what may be done related thereto in order to have the Reissue Application SN 10/600,114 issued.

As with the previous requests, **a written response is respectfully requested, so that a copy can be passed to the Applicant.**

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Respectfully submitted,



Kenneth A. Roddy
Agent of Record in SN 10/600,114
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